

E-File: June 24, 2010

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Attorneys for Reorganized Debtors and  
Debtors in Possession

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:  
  
THE RHODES COMPANIES, LLC, aka  
"Rhodes Homes, et al.,<sup>1</sup>  
  
Debtors.

Case No.: BK-S-09-14814-LBR  
(Jointly Administered)  
  
Chapter 11

<sup>1</sup> The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

Affects:

☐

All Debtors

☒

Affects the following Debtor(s)

RHODES DESIGN AND DEVELOPMENT  
CORPORATION

**NOTICE OF ENTRY OF ORDER**

**TO: ALL INTERESTED PARTIES:**

YOU ARE HEREBY NOTICED that an **ORDER GRANTING MOTION FOR RELIEF FROM THE AUTOMATIC STAY FILED BY X-IT, 215, LLC [DOCKET NO. 1106]** was entered on June 23, 2010. A copy of the Order is attached hereto.

**DATED** this 24th day of June, 2010.

**LARSON & STEPHENS**

/s/ Zachariah Larson, Esq.

Zachariah Larson, Bar No. 7787

Kyle O. Stephens, Bar No. 7928

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Entered on Docket  
June 23, 2010

Hon. Linda B. Riegler  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:

THE RHODES COMPANIES, LLC, aka  
"Rhodes Homes," et al.,<sup>1</sup>

Debtors.

Case No.: 09-14814-LBR  
(Jointly Administered)

Chapter 11

Affects:

☐ All Debtors  
☒ Affects the following Debtor(s)  
RHODES DESIGN AND DEVELOPMENT  
CORPORATION

Hearing Date: June 21, 2010  
Hearing Time: 9:30 a.m.  
Courtroom 1

**ORDER GRANTING MOTION FOR RELIEF FROM THE AUTOMATIC STAY FILED  
BY X-IT 215, LLC [DOCKET NO. 1106]**

<sup>1</sup> The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20 LLC (Case No. 09-14848); Tuscany Acquisitions IV LLC (Case No. 09-14849); Tuscany Acquisitions III LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf and Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, LLC (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

1 Upon consideration of the *Motion for Relief from the Automatic Stay* [Docket Number  
2 1106] (the "Motion") filed by X-IT at 215, LLC (the "Movant")<sup>2</sup> and good cause appearing, it is  
3 hereby ORDERED

4 1. The Motion is granted as set forth in the attached Stipulation of the parties.

5 2. The Movant is authorized to litigate its claims (the "Claims") against Rhodes Design  
6 and Development Corporation pursuant to Article VII.E.2 of the Plan of Reorganization [Docket  
7 No. 1053] (the "Plan") notwithstanding the injunction under the Plan for the limited purpose of  
8 pursuing payment of their Claims from applicable insurance policies.

9 3. There shall be a full reservation of rights for Rhodes Design and Development  
10 Corporation's insurers with respect to the relevant insurance policies and to defend the Claims on  
11 the merits.

12 4. Any and all portions of the Movant's Claims, whether prepetition or postpetition  
13 claims or causes of action, that are not fully satisfied by the available insurance policies of  
14 Rhodes Design and Development Corporation are forever waived and discharged as against  
15 Rhodes Design and Development Corporation, even if the Movant is unable to obtain any  
16 recovery from any insurance policies.

17 5. As provided in Article VII.E.2 of the Plan, the Reorganized Debtors shall have no  
18 obligation to pay any amounts in respect of deductibles or self insured retention amounts under  
19 applicable insurance policies.

20 6. The Bankruptcy Court retains jurisdiction to resolve any dispute arising from the  
21 interpretation or enforcement of this Order.

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<sup>2</sup> All defined terms not defined herein shall have the same meaning as in the Motion.

1 SUBMITTED BY:

2  
3 DATED this 17th day of June 2010.

DATED this 17th day of June 2010.

4 By: /s/ Damon Dias

By: /s/ Zachariah Larson

5 DIAS LAW GROUP, LTD.

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**LR 9021 Certification**

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☒ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below: Damon Dias, Counsel for Movants – approved the order.

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

Submitted by:

DATED this 21<sup>st</sup> day of June 2010.

By: /s/ Zachariah Larson  
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